

REMARKS

Claims 1-10 are currently pending in the application. Claim 3 has been amended. New claim 10 has been added.

In response to the objection to claim 3, Applicants have amended the claim.

On page 2 of the Office Action, claims 1, 4, 6, and 8 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,073,220 (Gunderson).

Gunderson is directed to a method and apparatus for providing a backup drive in a computer system having a Central Processing Unit (CPU), a memory, and operating system executing between the CPU and the memory, and a first and second storage device. After a first-time backup, Gunderson performs a data integrity check.

Applicants respectfully submit that independent claims 1, 6, and 8 are patentable over the reference, as Gunderson fails to disclose, "an alteration checking unit that, after copying of the original data as the back-up data is over, decides whether the original data has been altered based on original data stored in the original data storage unit and notifies a user of decided alteration," as recited in claim 1, for example.

In contrast to the present invention, Gunderson's "data integrity check" simply ensures that backed-up files are readable. See Gunderson, column 10, lines 27-32. According to Gunderson, the operation is performed to restore any lost or damaged primary drive files. Therefore, Gunderson's data integrity check does not detect whether original data has been *altered*. Rather, the integrity check simply ensures that the backup files are readable.

Moreover, in contrast to the present invention, Gunderson clearly indicates that the original data is compared with the backed-up data. See Gunderson, column 10, lines 37-42.

Applicants respectfully submit that new claim 10 is patentable over the reference, as Gunderson fails to disclose, "a back-up unit that copies original data without checking alteration of the original data; and an alteration checking unit that, after copying of the original data is completed, determines whether the original data has been altered based solely on the original data and provides a notification regarding whether the original data has been altered.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

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Respectfully submitted,

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